

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3187 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

- =====
1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
 5. Whether it is to be circulated to the Civil Judge? : NO

KANTILAL HIRALAL PATEL

Versus

UNION OF INDIA

Appearance:

MR MJ PARIKH for Petitioner
MR ANANT S DAVE for the Respondent.

CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 04/05/2001

ORAL JUDGEMENT

Rule. Learned Additional Cetnral
Government Counsel Mr. Anant S. Dave appears and waives
service of Rule on behalf of the respondent.

2. This is a petition for a direction to the respondent authority to correct the date of birth of the petitioner from 24.8.1951 to 25.8.1951 or to issue a fresh passport with correct date of birth. The learned advocate for the petitioner states that due to some mistake, the date of birth has been mentioned as 24.8.1951 in place of 25.8.1951. There is a difference of only one day and he has also filed a school leaving certificate for the said purpose. The petitioner moved an application before the respondent authority to make necessary correction in the passport, but they have rejected the same on the ground that they have no authority to correct the date of birth. Hence, the petitioner has filed the present petition.

3. In the facts and circumstances of the case, this petition is being disposed of finally with a direction to the respondent authority to entertain and consider and decide the application of the petitioner on the basis of the material on record in accordance with law. The respondent authority will be at liberty to pass appropriate orders regarding costs of the proceedings. Rule is made absolute accordingly with no order as to costs.

...

***darji